

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR.

S.B. CIVIL WRIT PETITION NO.3553/2004

Keshri Singh. vs. State of Raj. & ors.

Date : 6.1.2005

HON'BLE MR. PRAKASH TATIA, J.

Mr. G.J. Gupta, for the petitioner.

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Heard learned counsel for the petitioner.

The petitioner is aggrieved against the order dated 23.10.2003 of the Superintending Engineer, Irrigation Circle, Sri Ganganagar by which the petitioner's appeal against the order dated 31.12.1997 of the Executive Engineer was dismissed on the ground that the appeal is barred by time as it has been filed after more than 4½ years.

According to the learned counsel for the petitioner, the petitioner had no knowledge of the order dated 31.12.1997, therefore, he could not challenge the same in time. The petitioner submitted an application for condonation of delay.

After going through the facts of the case, it is clear that the appellate authority found that the petitioner had full knowledge of the opening of the new outlet and despite this fact, he did not

challenged the order dated 31.12.1997 for more than 4½ years.

I do not find any force in the submission of the learned counsel for the petitioner that despite the order of opening the new outlet, the outlet was not opened for more than 4½ years and he came to know about the order dated 31.12.1997 after more than 4½ years. The authorities below have not committed any error in passing the impugned orders.

In view of the above, this writ petition having no force is hereby dismissed.

(PRAKASH TATIA), J.

S.Phophaliya